

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**COURTESY**

12/14/07

FOREST LABORATORIES, INC.,

Plaintiff,

OCT 24 2007

- against -

LEIF NISSEN,

Defendant.

ECF CASE

07 Civ. 7399 (AKH) (MHD)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Complaint, the Amended Complaint, the Declaration of Leif Nissen sworn to September 21, 2007, the Declaration of James W. Dabney sworn to September 21, 2007, the Memorandum in Support of Defendant's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue, the Second Declaration of Leif Nissen sworn to October 23, 2007, the Second Declaration of James W. Dabney sworn to October 23, 2007, the Memorandum in Support of Defendant's Motion for and Award of Attorneys' Fees, and upon all papers filed and hearings held herein, the undersigned will move this Court, the Honorable Michael H. Dolinger, United States Magistrate Judge, at Room 17D, United States Courthouse, 500 Pearl Street, New York, 10007, on the 16th day of November, 2007, at 10:00 a.m., or as soon thereafter as counsel can be heard, for an Order awarding attorneys' fees under the Court's inherent power.

Dated: New York, New York  
October 23, 2007

FRIED, FRANK, HARRIS, SHRIVER  
& JACOBSON LLP

By: 

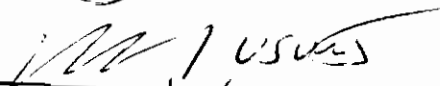
James W. Dabney  
Sarah Krissoff

One New York Plaza  
New York, New York 10004-1980  
(212) 859-8000

Attorneys for Defendant  
Leif Nissen

**ENDORSED  
ORDER**

*This motion is denied for  
reasons stated on the  
record today.*

  
**MICHAEL  
H. DOLINGER**  
558039

12/11/07

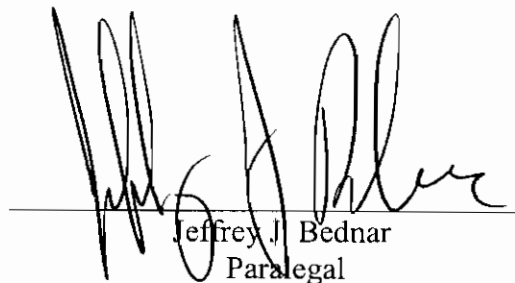
**CERTIFICATE OF SERVICE**

I certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that on the 23<sup>rd</sup> day of October, 2007 I caused to be served upon the following, by the methods described below, true copies of the Notice of Motion; Memorandum in Support of Defendant's Motion for an Award of Attorneys' Fees; Second Declaration of Leif Nissen; and Second Declaration of James W. Dabney.

**Hand-Delivery**

Christopher Serbagi, Esq.  
Law Offices of Christopher Serbagi  
488 Madison Avenue, Suite 1120  
New York, New York 10022  
*Attorneys for Plaintiff*

Dated: New York, New York  
October 23, 2007



Jeffrey J. Bednar  
Paralegal